

EXHIBIT GC053

CAUSE NO. 22-CV-0675

SALT & PEPPER RESTAURANTS, INC.	§	IN THE DISTRICT COURT
	§	
<i>Plaintiff/Garnishor,</i>	§	
	§	
vs.	§	
	§	
TIGHT ENDS SPORTS BAR & GRILL, LLC	§	
and TIMOTHY DUNGAN	§	
	§	
<i>Defendants,</i>	§	GALVESTON COUNTY, TEXAS
	§	
vs.	§	
	§	
BANKSOUTH	§	
	§	
<i>Garnishee.</i>	§	56 th JUDICIAL DISTRICT

**ORDER ON PLAINTIFF’S OBJECTIONS TO DEFENDANTS’ EXHIBIT LIST AND
EXHIBIT 1 TO DEFENDANTS’ MOTION TO DISSOLVE WRIT OF GARNISHMENT
AND MOTION TO STRIKE**

On this day, the Court considered Plaintiff Salt & Pepper Restaurants, Inc.’s (“*Plaintiff*”) Objections to Defendants Tight Ends Sports Bar & Grill, LLC and Timothy Dungan’s Exhibit List and Exhibit 1 to Defendants’ Motion to Dissolve Writ of Garnishment and Motion to Strike. Having considered the same, as well as any responses and/or replies, the evidence properly before the Court, and the arguments of the Parties, the Court is of the opinion that the opinion that the Objections and Motion to Strike are meritorious. The Court therefore **RULES** as follows:

1. Plaintiff’s objection to the screenshot attached to the Dungan Declaration because it constitutes inadmissible hearsay is:

Sustained _____ Overruled _____ Sustained as Modified: _____

2. Plaintiff’s objection to the Declaration of Timothy Dungan (the “*Dungan Declaration*”) because it is not a competent business record affidavit is:

Sustained _____ Overruled _____ Sustained as Modified: _____

3. Plaintiff's objection to Exhibit 1 of the Dungan Declaration because it is not properly authenticated is:

Sustained _____ Overruled _____ Sustained as Modified: _____

It is, therefore, **ORDERED** that Plaintiff's Motion to Strike is **GRANTED** and the Court strikes the portions of the Dungan Declaration and Exhibit List for which the Court has sustained Plaintiff's objections herein.

SIGNED this _____ day of _____, 2022.

JUDGE PRESIDING

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Jackie Kish on behalf of Preston Kamin

Bar No. 24062817

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Envelope ID: 66809067

Status as of 7/29/2022 2:33 PM CST

Associated Case Party: Salt & Pepper Restaurants, Inc.

Name	BarNumber	Email	TimestampSubmitted	Status
Tyler J.McGuire		tmcguire@grayreed.com	7/29/2022 2:22:52 PM	SENT
Justin R.Cowan		jcowan@grayreed.com	7/29/2022 2:22:52 PM	SENT
Preston TKamin		pkamin@grayreed.com	7/29/2022 2:22:52 PM	SENT

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Jackie Kish on behalf of Preston Kamin

Bar No. 24062817

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Envelope ID: 66809067

Status as of 7/29/2022 2:33 PM CST

Associated Case Party: Tight Ends Sports Bar & Grill, LLC

Name	BarNumber	Email	TimestampSubmitted	Status
John Henry		jhenry@jhenrylaw.com	7/29/2022 2:22:52 PM	SENT